

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

STEVE SWAIM,)	
)	
Claimant,)	
)	
v.)	
)	IC 01-020876
SCOTT HURST TRUCKING,)	
)	
Employer,)	ORDER
)	
and)	April 22, 2005
)	
RELIANCE INSURANCE COMPANY,)	
)	
Surety,)	
)	
and)	
)	
WESTERN GUARANTY FUND,)	
)	
Successor in Interest,)	
)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-717, Referee Michael E. Powers submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusions of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant is entitled to future medical care including epidural steroid injections and medications as prescribed by Dr. McDonald.
2. Claimant is not entitled to additional TTD benefits.

3. Claimant is permanently and totally disabled pursuant to the odd-lot doctrine effective June 11, 2004.

4. Claimant is not entitled to an award of attorney's fees.

5. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this __22nd__ day of ____April____, 2005.

INDUSTRIAL COMMISSION

____/s/_____
Thomas E. Limbaugh, Chairman

____/s/_____
James F. Kile, Commissioner

____/s/_____
R. D. Maynard, Commissioner

ATTEST:

____/s/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the __22nd__ day of __April____, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

EDGAR L ANNAN
5915 S REGAL ST STE 210
SPOKANE WA 99223-6970

GLENNA M CHRISTENSEN
PO BOX 829
BOISE ID 83701-0829

____/s/_____

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